

Media Release

Racing Appeals & Disciplinary Board

18 April 2018

HRV RAD Board Hearing – Kevin Mark

The Harness Racing Victoria (HRV) Racing Appeals and Disciplinary (RAD) Board today considered a charge issued by HRV Stewards under Australian Harness Racing Rule (AHRR) 190(1) against licensed trainer Kevin Mark.

AHRR 190(1) reads as follows:

A horse shall be presented for a race free of prohibited substances.

The charge under AHRR 190(1) issued by HRV Stewards against Mr Mark related to a urine sample taken from the horse 'Annaflex' at the Shepparton trial meeting on 29 August 2017. The definition of a 'race' within the AHRR includes an official trial.

Racing Analytical Services Limited (RASL) reported that the analysis of the urine sample revealed it to contain the prohibited substance heptaminol. The Australian Racing Forensic Laboratory (ARFL) in New South Wales confirmed these findings in the reserve portion of the relevant urine sample.

Mr Mark pleaded guilty to the charge before submissions on penalty were heard from the HRV Stewards and Mr Mark.

In deciding an appropriate penalty, the HRV RAD Board considered Mr Mark's cooperation throughout the investigation and guilty plea at the earliest opportunity, his long history in the industry, his good record and personal circumstances. The HRV RAD Board also emphasised the purpose of the rules in relation to prohibited substances, and the dangers associated with horses competing with these substances in their system.

Mr Mark was subsequently fined \$3000, of which \$2500 was suspended for a period of 2 years.

The HRV RAD Board also ordered that, under AHRR 195, 'Annaflex' be disqualified from Trial 2 at Shepparton on 29 August 2017.

HRV RAD Board Panel: Alanna Duffy (Chair), Kerry Willcock, Robert Abrahams.

The Racing Appeals & Disciplinary Board (RADB) is established under section 50B of the Racing Act (1958). The RADB is an independent Board established to hear and determine appeals in relation to decisions made under the rules to impose penalties on persons and to hear and determine charges made against persons for serious offences.